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ABSTRACT

Feeling the effects of its deliberate decision to limit the growth of its student body, Colgate University began to face the problem of a steady state in 1971 that many institutions are now having thrust on them for other reasons. This problem was brought to a head at Colgate in 1972, four years after the Board of Trustees adopted a "general guideline", connected with a policy of improving faculty salaries and increasing promotion standards, that no more than 55 percent of the faculty may be on tenure at any given time. What was fair treatment for those young faculty members who had been hired prior to this policy without knowing that it would reduce their chances of continuing employment, or tenure, past their probationary service? Should the guideline be abolished, raised to 65 percent suspended temporarily, or implemented in a flexible manner? All these questions are explored in this document, their anticipated consequences are debated, and the compromise solution, adopted in January 1973, is presented. (Author/PG)

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IMPLEMENTING A TENURE QUOTA: THE COLGATE CASE

by

JeDon A. Emenhiser

U.S. DEPARTMENT OF HEALTH EDUCATION & WELFARE NATIONAL INSTITUTE OF EDUCATION
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Higher education no longer holds the privileged position in American society it enjoyed a few years ago. From the affluence and independence of the 1950's and 60's, between the Korean and the Vietnamese wars, colleges and universities have been forced to retrench and to reallocate, to move into a period of austerity and accountability.[1] Suffering, perhaps, from too much of a good thing, catering to mass education and engaging in sponsored research, academic institutions are now exposed to severe criticism from those they were created to serve.[2]

One of the major targets in this assault upon the autonomy of academia and the drive for its efficient management is tenure, the guarantee that once a faculty member has properly served a designated period of probation the burden of proof in dismissal proceedings rests with the employer. Much has been written recently about academic tenure: how, at its best, it benefits society as a whole by supporting the search for knowledge, protecting academic freedom and promoting faculty morale,[3] and, at its worst, provides

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[1]Earl F. Cheit, The New Depression in Higher Education (New York: McGraw-Hill Book Company, 1971) and The New Depression in Higher Education--Two Years Later (New York: The Carnegie Foundation for the Advancement of Teaching, 1973).

[2]W. P. Metzger, ed. Dimensions of Academic Freedom (Urbana: University of Illinois, 1969); R. Nisbet, The Degredation of the Academic Dogma (New York: Basic Books, 1971); and David Riesman, Joseph Gusfield, and Zelda Gamson, Academic Values and Mass Education (Garden City: Doubleday & Co., Inc., 1971).

[3]Louis Joughin, ed. Academic Freedom and Tenure (Madison: The University of Wisconsin Press, 1969).

sinecures for deadwood employees who siphon off scarce resources or locks institutions into lifelong contracts with nihilistic dilettantes who incite impressionable youth to revolt against their elders.[4] Such analyses have exploded the myth that job security is unique to higher education. Moreover, it is one of the few institutions with an explicit up-or-out policy. But this is not the place to argue for or against the merits of tenure; they have been amply discussed elsewhere.[5] This is a story of how a wealthy, private liberal arts college in the East dealt with the problem of preserving tenure in the face of its deliberate decision to limit growth and stay relatively small.

The 1972 Faculty Meeting

Spring had not yet come to upstate New York on April 17, 1972, when history professor Richard Frost addressed his Colgate University colleagues in a special meeting of the faculty. "It would be a mistake," he said, "for Colgate to reach a level of 70 percent or more of its faculty on tenure, even if the increase represented a high degree of academic quality." Professor Frost was not proposing a limit on tenure where no quota existed. Instead, as chairman of the Faculty Affairs Committee, he was recommending that the faculty request the Board of Trustees to relax their guideline of having no more than 55 percent of the academic faculty on tenure by changing the quota to 65 percent. He claimed that if the guideline were completely abolished or suspended, as the local chapter of the American Association of University

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[4] Campus Tensions: Analysis and Recommendations--Report of the Special Committee on Campus Tensions (Washington, D.C.: American Council on Education, 1970) and Campus Unrest: Report of the President's Commission on Campus Unrest (Washington, D. C.: U. S. Government Printing Office, 1970).

[5] Bardwell L. Smith and Associates, The Tenure Debate (San Francisco: Jossey-Bass, Inc., 1973).

Professors had strongly urged, rather than revising it upwards, there would be "tremendous pressure to increase the proportion of our faculty on tenure well beyond 60 or 65 percent."

A chill was still in the evening air as Mr. Frost continued his presentation, arguing that there were several reasons besides selectivity for holding the number of tenured faculty below the maximum of 85 percent, which could be anticipated if everyone were given tenure after the first six years of a forty-year career. Keeping the percentage down, he claimed, benefited the University in a number of ways:

1. It accelerates the introduction of new faculty with recent graduate training and fresh ideas.

2. It assures diversity of age among the faculty and makes certain that students will have young teachers as well as teachers who are middleaged and older, providing freshness and enthusiasm as well as maturity.

3. It makes the sustained achievement of top-level salaries for the ranks of associates and full professors less implausible.

4. It creates greater flexibility for the institution in making curricular changes.

5. It increases the opportunities of the University to go into the academic market during those periods when the market is favorable to the institution.

His position of compromise, between keeping the 55 percent guideline in force and abandoning it altogether, was based upon four points:

1. Fears need to be allayed that a 55 percent tenure quota will victimize the next couple of tenure classes, those persons reaching the end of their probationary period in 1972-73 and 1973-74 who were hired in 1966 and 1967 just prior to the adoption of the guideline.

2. There is an internal logic to 65 percent, inasmuch as the number of associates and professors, those normally thought of as holding tenure, represent about 65 percent of the tenurable faculty.[6]

3. Sixty-five percent will leave ample room for the hiring of new faculty.

4. The prospects of the Board of Trustees accepting an increased guideline are better than their accepting a suspension of the guideline.

Mr. Frost concluded his remarks with the admonition, "Those who regard half-a-loaf as infra dig. had better think about the possibility of going hungry."

Several members of the faculty spoke to Frost's motion that "the Colgate Faculty recommends to the Board of Trustees that it adopt as a guideline the policy that not more than 65 percent of the tenurable faculty be on tenure at any one time." Dean of the Faculty Franklin Wallin emphasized the value of having a guideline to assist division directors and department chairmen in evaluating candidates for tenure competition. He said he could not support a position to suspend guidelines without a clear and strong statement of criteria for tenure decisions. Other members preferred a delineation of criteria for tenure in lieu of a guideline.[7] One of the concerns many faculty members had was that any guideline, 55 percent or even 65 percent, would impose an injustice upon those new, young faculty members who had been

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[6]Mr. Frost counted 97 associate professors and professors out of 151 in the tenure stream. The Board guideline was: professors--33 percent; associates--22 percent; assistants--25 percent; and instructors--20 percent. But the rank guideline included library and physical education personnel, while the tenure restriction did not.

[7]The criteria for tenure are considered to be the same as for associate professor: "Initial appointment to the rank of associate professor shall be granted only to those who, in addition to all of the qualifications of an assistant professor [those who embody the maturity and achievement in his field of scholarship of which the doctor's degree is the normal testimonial], have proved their worth as teachers and given substantial evidence of productive scholarship."--Colgate University Faculty Handbook 1970, p. 33.

hired in the past few years without any knowledge of an impending quota. Some asked the question whether a 55 percent guideline was sufficiently flexible to be interpreted to allow 65 percent of the faculty to be on tenure. A further significant issue raised was, if limits were to be established, who should have the authority to set them, or change them, the Board, the Administration, or the faculty. The motion was put to a written vote.

While the ballots were being counted, President Thomas Bartlett commented on the debate. He felt there were two questions at issue. First, was the college to be selective in awarding tenure? And second, if it is agreed that selectivity is desirable, how is it to be brought about? He made it clear that Colgate had to be selective and that guidelines were a desirable way to insure rigor in the selection process. He said he would strongly oppose abolishing the 55 percent quota without establishing another limit.

The motion passed the faculty 37 to 21.

Background of the Guideline

What raised this issue? Why was a special faculty meeting called to discuss a tenure guideline more than three years after it had been passed by the Board of Trustees? Were the faculty members unaware of it until 1972? Or did they fail to fathom its importance until that time?

Little attention was paid to the guideline until on August 13, 1970, Dean Wallin sent a memorandum to the members of the Faculty Affairs Committee regarding "Items for consideration for the year," listing as item three, "Policies Relating to the Composition of Faculty, such as percentages by rank and tenure." Appended to this memorandum was a copy of page 3 of the minutes of

the January 17, 1969, Board of Trustees meeting. In his final report to the Board, retiring President Vincent Barnett had given the faculty what has been characterized by some as "a parting shot." Not that it was malicious, few doubt its good intentions. What was criticized was the lack of consulting the faculty. In the words of the Board's secretary:

> Faculty improvement. It is expected that the achievement of A or AA ratings on the AAUP scales for all faculty ranks should make possible significant progress in strengthening the faculty in the years to come. Faculty improvement will require application of increasingly rigorous standards on promotion and tenure decisions. In this connection the President recommended that a member of the Faculty Affairs Committee of the Board of Trustees be designated to sit with the Ad Hoc Committee on Promotions and Tenure which is charged with making proposals for improvements and procedures for reaching tenure decisions. He also recommended that the Board of Trustees adopt a general guideline that no more than 55 percent of the academic faculty, excluding Physical Education and Library, may be on tenure at any given time. The present figure is 52 percent.
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> With respect to promotions from one rank to another the President recommended that the Board adopt as a guideline the following proportions by rank for the entire faculty, including Physical Education and Library: Professor 33 percent, Associate Professor 22 percent, Assistant Professor 25 percent and Instructor 20 percent. The comparable figures at the present time are 31 percent, 22 percent, 25 percent and 22 percent.
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> On motion, duly seconded, all three of the above recommendations were approved.

After spending several meetings on other matters, discussing policies on part-time faculty and reviewing faculty fringe benefits, the Faculty Affairs Committee turned to the percentage guidelines on February 9, 1970. But the subject that seemed uppermost in their minds was the guideline on promotions as it related to faculty morale. Nicholas Longo, a representative from the local AAUP Economic Status Committee, appeared at the meeting. He remarked that the decision of the Board of Trustees had not been adequately publicized, although the Board minutes were open to the faculty. The Committee informed

Mr. Longo that the purpose of the percentage limitation was to achieve the desirable effect of maintaining a highly selective faculty, and it pointed out that the limit is to be a guideline and should be considered an average over a period of time while subject to short-term fluctuations. It was decided that, in order to call sufficient attention to the issue, the F.A.C. should rehearse the Board's decision at the next faculty meeting.

Following the instructions of his committee, at the next regular meeting of the faculty on December 7, 1970, the F.A.C. chairman, Philosophy and Religion Professor John Morris, announced that "the Committee had heard a report from the administration on the Board of Trustee policy to have percentage limits for tenure and rank." He quoted the Board's resolution by reading from its January 1969 minutes and added that the percentage of the faculty on tenure had gone up from 52 percent in 1969 to 57 percent in 1970. Mr. Morris further commented:

> The Faculty Affairs Committee understands that percentage limitations are related primarily to a concern with overall faculty quality. They are not meant to keep a low salary level at the lower ranks. They will operate within the guidelines of a salary policy which aims at the highest salary the College financial picture will allow.

And, in conclusion, he emphasized that "the rules will be interpreted liberally and as a norm rather than a rigid rule such that there can be short-term flexibility in its application." There appeared to be little anxiety among the faculty that persons on tenure had exceeded the guidelines by two percentage points.

The Crunch Comes to Colgate

Nearly a year later, in September, 1971, the Dean of the Faculty reported to his division directors that of the 148 faculty members in the tenure stream 90 had tenure, four were expected to retire in 1972 and eight were

up for tenure decisions that year. This meant that, after subtracting the anticipated retirements, the tenured faculty was already exceeding the 55 percent guideline by nine persons, not to mention the eight who were to be acted upon in 1971. The crunch was evident, particularly when a projection showed that over the next five years there would be, on the average, eight persons in each tenure class and only three retirements per year.

Gradually, the implications of the Board's tenure restriction policy were becoming apparent to the faculty. Given a situation of no growth in the projected size of the faculty and an average of only three retirements of tenured faculty per year, the impact of the tenure guideline was perceived as very real, especially to those untenured faculty members who were told first-hand by their division directors the effects of the policy on their careers. Besides the concern for the future of their colleagues, some faculty felt the application of the policy threatened to constrict the discretion of their departments and the Dean's Advisory Council in making tenure decisions on grounds of merit.[8]

A month later, meeting in Olmstead House, the historical site where the thirteen founders of Colgate first assembled in 1817, the Faculty Affairs Committee on October 4, 1971, heard the Dean of the Faculty report that more than 55 percent of the faculty were on tenure. Dean Wallin explained that it was advisable to stay fairly close to the Board limitation as it would permit the appointment of new blood equal to 10 to 15 percent of the entire faculty each year, maintaining a good age distribution and allowing continued contact with the products of the best graduate schools. But he stated, "The limit will preclude making more than three affirmative decisions annually."

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[8]See Appendix.

The Committee considered the advisability of the College adopting a policy of making annual appointments not to exceed four years, sometimes referred to as "the rotating bottom." The idea was discussed that, where an individual proved to be promising, a contract could be extended for three additional years, and in the sixth year a tenure decision would be made. Exceptions to this procedure would be allowed only for those coming to Colgate with experience, and therefore advanced status. The group felt that the advantages of this system would permit assessment of performance on one occasion before the tenure decision, and the assumption of automatic termination would place Colgate in the position of accepting rather than rejecting candidates for tenure.

When the Board of Trustees held its fall semiannual meeting at Colgate on October 22, its Committee on Faculty Affairs, along with some members of the Executive Committee, met with the corresponding campus group. Among the items on the agenda of the 10:30 A.M. meeting in Merrill House, home of the Faculty Club, was "(2) Promotion policy and the quotas for various ranks set by the Board of Trustees." Distributed with the agenda was a statement of the then current percentages of faculty in ranks and on tenure:

Comparison of Ranks and Guideline, 1971

Rank	Number of Faculty	Percentage	Guideline
Professors	58	33	33
Associate Professors	36	21	22
Assistant Professors	50	28	25
Instructors	31	18	20
Total	175	100	100

Comparison of Tenure and Guideline, 1968-1971

Year	Faculty in Tenure Stream	Number on Tenure	Percentage	Guideline
1968	144	77	53	55
1969	158	92	58	55
1970	156	96	62	55
1971	152	96	63	55

The parties discussed the rationale for having the quota, and the faculty representatives expresced their concern that more discretion should be given to the campus community in implementing the guidelines. Mrs. Josephine Y. Case, chairman of the Board Committee and wife of Everett Case, Colgate President from 1942 to 1962, indicated that it would be proper for the faculty to propose changes in the guidelines to the Trustee Committee on Faculty Affairs for consideration by the full Board. No recommendations were submitted at this time, but the suggestion was planted in the minds of faculty.

In a meeting that lasted until nearly midnight on November 4, the F.A.C. continued its deliberations on policies regarding tenure and promotion. The question was now faced whether any change should be recommended in the Board's guideline on the grounds that a problem had suddenly been created by ending increases in the number of faculty. Committee members saw that with a constant expanding faculty and with some members resigning voluntarily to accept positions elsewhere, there was little or no difficulty in limiting the tenured faculty to 55 percent of those eligible. But, they felt, when faculty size became fixed and market conditions turned unfavorable for employment at other colleges, the quota increased the competitiveness of attaining tenure. And given the sympathy for non-tenured persons in this kind of situation, many committee members conceded that their colleagues would fail to make dispassionate judgments.

They considered whether limitations on tenure are good in principle, that is, could guidelines be helpful to an institution regardless of the anguish they might cause among the non-tenured faculty. Furthermore, would a change in the guideline help Colgate get over the next two years when so many tenure decisions would have to be made. A number of solutions were considered. Could the limit on tenure be raised to 65 percent and calculated on the basis of the full faculty rather than just for those currently considered to be in the tenure stream? Would increased early retirements reduce the number of faculty on tenure sufficiently to provide some relief for the transition while Colgate adjusts to the new conditions of a stable faculty.[9] What if the guidelines were relaxed and discretion allowed for the Dean's Advisory Council to make those appointments it believes to be advisable? Could tenure decisions be based on the competition that will take place over the next three or four years rather than on a year-by-year basis? If new faculty were appointed for a limited terminal period and future tenures were approved only sparingly, would pressures be alleviated? Chairman Frost concluded the meeting by stating that he observed the committee's consensus on

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[9]About four years ago it was apparent that some professors wished to retire before age 68. The Dean of the Faculty and the Vice President for Business and Finance discussed the possibility of early retirement for those who might wish to explore it and determined that it was possible in some instances to make early retirement attractive. By paying a lump sum amount to TIAA-CREF it was possible to buy the equivalent of an age 68 retirement at age 65 or 66 for less than the equivalent of a full year's salary. The Vice President for Business and Finance calculated that at an expected level of compensation, about $25,000 per year, a professor would cost the University $100,000 if he chose to continue his employment from 64 to age 68. A replacement for him at the assistant professor level would cost the University about $12,000 per year, or less than $50,000 for the same four years. The savings to the University would be $50,000 less the $25,000 paid to the professor's TIAA-CREF account or a net of $25,000 over the next several years. It was clearly in everyone's interest to make the payment to TIAA-CREF in return for a letter from the professor resigning as of June of his 64th year. This arrangement has been made by an exchange of letters between several professors and the Dean plus payments to TIAA-CREF.

tne following points: 1) The limitation of faculty on tenure is beneficial for the University inasmuch as it provides a mandate for discriminatory judgments respecting Colgate's faculty and permits the recruitment of new faculty to allow for program flexibility, assuring the continued infusion of new and vital elements into the faculty. 2) The objectives of early retirement advanced recently by the administration with the cooperation of senior faculty is advantageous to the University and should be expanded or at least sustained. 3) A policy of limited terminal appointments, i.e., one year contracts, not renewable after four years, for newly hired faculty is a wise policy. New faculty members can thereby know from the outset that tenure for them will be an exception rather than a rule. 4) Tenure judgments for any given year should be made with the situation of tenure decisions of the following year or two in mind, i.e., evaluations should be competitive not only within a given tenure class but with the next class or two considered as well.

Two weeks later at its next regular meeting, the Faculty Affairs Committee was joined by the Dean's Advisory Council. The joint group decided that the Board of Trustees' policy intended to serve the purpose of making Colgate an institution with a highly selective faculty in keeping with its position as a leading liberal arts college. But it was recognized that expectations had been created among untenured faculty members at the time of their appointment, since the prevailing view of an academic career was that if an individual met acceptable standards he would be awarded tenure without regard to the proportion of others who were on tenure. To make tenure more competitive than it was when a person was hired worked a hardship on those persons, which is unfair when they are unable to do anything about it. Questions also arose as to whether tenured faculty on indefinite leave for administrative purposes should

be considered in the tenure stream, and whether part-time teachers can be counted in terms of their full-time equivalency. It was obvious that since about 62 percent of the faculty was already tenured, working at the margin with various formulas would not significantly change appointments in the next three or four years. It was decided that a suitable practice probably falls somewhere between (1) making decisions on a selective basis without any arbitrary limitations and (2) accepting the fact that one of the implications of Colgate keeping its top salary ranking among liberal arts colleges is that it will not be able to retain all the good faculty members it recruits. Chairman Frost again questioned whether the guideline needs to be changed as long as sufficient flexibility can be observed in applying it.

Changing the Guideline

On March 9, 1972, some forty members attended a smoker, sponsored by the local AAUP chapter, to discuss the report of the Special Committee on Tenure and the Nontenured Faculty, and to make recommendations to the Faculty Affairs Committee.

A nine-member special committee had been organized by the AAUP and met a number of times by itself and with Dean Wallin and Mr. Frost. It considered the following items, prepared largely by its chairman, philosopher Jerry Balmuth, and presented them for discussion at the smoker:

1. There has been a noticeable shift in the stated policy and administration of promotions and tenure, from a system in which an appointee was encouraged to expect that his continuing excellent performance as teacher, scholar and colleague, was sufficient for continued tenure, to a policy in which this presumption is deliberately challenged. The new policy adopted apparently three to four years ago without, it must be added, the attention, discussion and knowledge it deserves from faculty committees and the general faculty, appears to be one in which a 55 percent guideline (number of total faculty on tenure) fairly strictly observed, is used as a base test for continued appointment to tenure. Exactly what this entails is the reason why this committee

exists. There is no question that anxieties among present faculty--noticeably among more recent appointees--have been increased as a result of recent stress on this policy, and the fact that the percentage on tenure at this time exceeds the 55 percent number, with many people coming up for a decision.

2. While it is unfair to characterize the new system as a strict quota system, or a simple "slot system" (appointment to fixed 'slots' only, as they become vacant), it is probably closer to the truth to say that emphasis on such a guideline is designed to dramatize tenure as a competitive-adversarial process, in which considerations of qualifications may be limited by such external considerations as the number of tenure openings available over a three year period, and the overall comparison between candidates from different fields, etc. The new system at least as the Dean described it, appears to be a merit-rank-ordering system within a somewhat flexible quota system.

3. Though some members of this AAUP committee felt that such a 'tightening up'--whatever this may mean--is salutary, and while others thought it necessary in the light of both the pressures on the institution and the desire to buttress its self-image, as well as for the institution's continued health, all the members of this committee feel that there has been an insufficient discussion of the dangers that such an emphasis can produce. These are the following:

a. Colgate depends and always has depended for its future and permanent faculty by appointment, through ranks, to tenure rather than as in the case of other institutions, by upper level appointments at relatively high rank. This is the normal pattern of movement in the University. Anxieties which are gratuitously and unwarrantably exacerbated beyond those stirred by the already competitive nature of the normal process, can only be detrimental to the morale and loyalty of the younger faculty, on whom we depend for our future faculty. In particular, any tenure policy which does not seem reasonable and just--which allows tenure to appear finally as exploitative device of the institution--may well be deleterious of the continued trust and credence of the younger faculty. This point is worth emphasizing in the light of the fact that Colgate is viewed as a good place to teach, and to be, in part because there are no established marks separating sharply an entrenched permanent faculty from a 'transient,' and usually alienated temporary faculty; and where a young man or woman can be enthusiastic about his or her personal stake in the future of the institution.

b. The emphasis on competitiveness may have negative effects not merely on the morale of the faculty as well as on the environment generally, but also on the actual character of the faculty's service at Colgate. An emphasis on inter-institutional mobility can result only in younger faculty calculating more exactingly their opportunities for those services which will be best recognized by other institutions. This means that those special responsibilities which we often expect Colgate faculty to assume--commitment to general education, educational experimentation, extensive participation in governing and committee work, accessibility to students over and beyond minimal office hours, availability for independent studies, general accessibility to colleagues, etc., can only be deemed by younger faculty as pointless if not harmful to their future prospects.

c. Also raised is a question of good faith with recent appointees, where the institution adopts a new policy which seems more expedient and calculating than the one which they were led to expect on their often toughly competitive initial appointments. Some recent appointees accepted offers from Colgate rather than from other highly prestigious places because of the implicit promise that their engagement here had more likelihood of permanence, and acceptance than at other institutions. Some of these people feel, with some justice, that they have been misled.

d. All of the younger faculty are concerned about the apparent effects of this policy in forcing interpersonal comparisons of younger men or women from quite different disciplines requiring disparate talents, in the competitive test for tenure. How does one go about comparing qualifications of a first-rate political scientist with that of a first-rate logician or chemist? How much does the whole process depend finally on the peculiar persuasive powers of the candidate's advocate, rather than on his own particular merits? To what extent is excellence in one field or area no longer sufficient for continued appointment?

e. Finally, these considerations force us to look far more carefully at the specific criteria used for the award of tenure, and make it mandatory that we reach a general understanding of exactly what these criteria entail. In particular, what is the rank ordering given to the relationship between teaching, scholarship and colleagueship? Must each member of the faculty be outstanding in each category--the proverbial well-rounded faculty man--or is it that we want a well-rounded faculty with distinctive contributions of individuals? What exactly constitutes "scholarship"? Professional recognition of a relatively minor nature--or something else? Must 'scholarship' be reflected by publication alone? or is clear evidence of high professional competence, maintenance of skills and intimate familiarity with new developments in the field, also such evidence? Exactly how is teaching strength to be assessed? By popularity, for whatever reasons? By rumor? Should there be constituted a Tenure Board composed of faculty, in part from the discipline or division of the candidate, in part outside, who will have a quite independent judgment of the colleague's candidacy? These are questions which need to be resolved for a sense of the rationality of the process to be assured in the minds of the younger faculty.

4. In back of these questions regarding dangers and the need for clarification of criteria, lies a more profound question about the nature of Colgate as a teaching institution. It is, some of us think, a delusion to represent the institution as simply a purveyor of skills, thoughts and knowledge. Its central role, upon which these others depend, is in the formation of values and attitudes--the development in our students of critical yet not uncommitted--minds. If this be close to our aim, we need a policy to encourage those teachers who serve this end from their various vantage points.

5. We propose that these questions be opened for general faculty discussion.

In conclusion the Committee recommended:

There is no disposition on the part of the faculty or the AAUP to question the need for exacting standards for assessing the qualifications of new members up for tenure. Nor is there doubt that we cannot soften the traumatic character of the judgment between competitors for tenure. But it is an error, we think, to add to this a guideline which appears to be purely arbitrary and of questionable administrative use and without clear rationale to the faculty. Moreover, the faculty feels strongly that the summary atmosphere surrounding the imposition of this guideline, in particular the lack of warning and clear understanding of the present younger faculty, is unfair, presenting a question of good faith--and unwarranted by the situation.

Therefore, we make the following recommendations: (1) that the university suspend for an indefinite period the use of the guideline of 55% as an official policy controlling the appointment to tenure, and (2) consistent with the principle that it is primarily a faculty prerogative to assess the qualifications of its members for tenure and promotion, and that this be exercised independently of questions relating to administrative needs and purpose, that the Faculty Affairs Committee explore the advisability of creating an elected Faculty Board on Tenure and Promotion to pass on the credentials of candidates for tenure and promotion; and that this Board consist of no fewer than six members, two from each of the academic divisions, elected from among tenured members of the faculty; and that it take as its responsibility the setting of standards for tenure and promotion at Colgate.

Several department chairmen, one division director, and two members of the Faculty Committee on Tenure and Promotions were among a score of speakers who participated in the meeting in the Jerome Room of the University Library. Although a few persons approved some kind of quota in principle and others were not prepared to prejudge the application of a guideline for the future, most opposed any kind of tenure limitation. Colgate AAUP President Charles Naef further perceived there was complete agreement that the phasing in of the new tenure policy had been badly mishandled and that its implementation would result in inequities and breaches of faith. Consensus was reached on two items: (1) the application of the 55 percent tenure guideline should be indefinitely suspended; (2) the retention of non-tenured faculty now at Colgate should be determined solely on the basis of excellence; and a recommendation to explore the establishment of a faculty tenure board was passed:

Consistent with the principle that it is primarily a faculty prerogative to assess the qualifications of its members for tenure and promotion, and that this be exercised independently of questions relating to administrative need and purpose, we move that

> the Faculty Affairs Committee explore the advisability of creating an elected Faculty Board on Tenure and Promotion; and that this Board consist of no fewer than 6 members; 2 from each of the academic division, elected from among tenured members of the faculty; and that it take as its responsibility the setting of standards for tenure and promotion at Colgate, consistent with the nature of Colgate as a teaching institution deserving a faculty which excells in teaching, scholarship and colleagueship.

On March 20, 1972, the Faculty Affairs Committee agreed to recommend to the Faculty that it request the Board of Trustees to revise the guideline and responded to the AAUP charges of bad faith. The Committee felt there were two reasons to change the guideline on tenure, two reasons not to change it too much, and one reason not to change it at all. They believed the 55 percent guideline on tenure was inconsistent with the guideline for the number of faculty to hold the ranks of associate professor and professor. A guideline of 65 percent would make the number of tenured positions equal to the number of associates and full professors and would permit more flexibility during the present difficult time, and a 65 percent guideline would open more positions. On the other hand, the history of tenure at Colgate suggests that a quota will help resist internal pressures that in the past have produced anomalous standards for the granting of tenure. A limitation will help to assure that there will be a continuing refreshment of the faculty with new people. However, the precedent of changing the guideline may be a very bad one: the guideline might then be raised whenever it is in danger of being exceeded.

In addition to their recommendation to the faculty, the Committee recognized that questions of good faith had been raised at the intense AAUP smoker.

These questions are in the nature of grievances, they agreed, and, as such, should be brought before the Faculty Affairs Committee acting in its capacity as a grievance committee and considered on their merits for decision and recommendation by the Grievance Committee to the Dean of the Faculty.[10]

After the April Special Faculty Meeting accepted the F.A.C.'s 65 percent guideline proposal, the Board of Trustees Committee on Faculty Affairs was presented with the request at its May 12 session in Hamilton. Chairman Josephine Case reported the Faculty's concern to the Board's Executive Committee, which decided that her committee and the Board had insufficient time to evaluate the many ramifications of changing the tenure quota. The Executive Committee agreed that Mrs. Case's committee should survey the problem, consult with interested parties, and bring in a recommendation at the October Board meeting. But with the expiration of Mrs. Case's term on the Board this process did not occur. The new committee chairman, Federal District Court Judge Orrin Judd, called no meetings during the summer of 1972, so when the Board committee met in Merrill House, October 13, for its fall session with the faculty, the situation remained the same as it was in May.

Judge Judd, who had recently presided over a case from another college involving the denial of tenure, was unable to be present. But other members, including Lawrence Appley, Chairman of the American Management Association, who called the meeting to order, questioned the faculty representatives about their feelings in the matter. Chemist Spade Trumbull, the new chairman of the campus Faculty Affairs Committee, said the main concern was for the treatment of those persons coming up for tenure in 1972-73. Trustee Mary

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[10]The elected faculty members of the University Council act as the Faculty Hearing Committee and the Faculty Affairs Committee serves as the Faculty Grievance Committee.

Gardner Jones, a Federal Trade Commissioner, saw the issue in terms of trade-offs. She said being fair to this year's tenure class by allowing it a disproportionate number of appointments may be unfair to future classes that will suffer since there will be fewer slots for them. Also, she reasoned that the opportunity to hire good faculty members in the future may depend upon making positions available for them by denying tenure to good faculty members now.

In the evening, at the Executive Committee meeting, the tenor of the joint-committee session was reported by Lawrence Appley. He told his fellow trustees that the faculty members were concerned about the impact of tenure on the junior members of the faculty but did not seem overly excited about it at this time. The Board directed its Committee on Faculty Affairs, newly renamed Committee on Educational and Academic Affairs, to meet again with the campus group for "detailed briefings" on the question of tenure generally and specifically on the anticipated consequences of responding to the April, 1972 resolution of the faculty and report to the Board at its next full meeting in January, 1973.

On October 16, at the next meeting of the Faculty Affairs Committee, President Bartlett stressed the interest and desire on the behalf of the Educational and Academic Affairs Committee of the Board of Trustees for a full understanding of the guideline issue and emphasized the need for another meeting between the two committees.

At its October 31 session the F.A.C. discussed the role it should play with the Board. Should it stand as an advocate for the faculty's resolution on tenure, or should the committee review the issues and provide background information as to why the resolution was passed and as to what decision should

be made for the good of the institution? The main issues to be covered in the meeting with the Board appeared to be how should the quality of the faculty be maintained or improved, should there be a tenure guideline, what are its anticipated consequences, where should it be set, and how firm should it be.

A carload of committee members journeyed from Hamilton to New York City on November 8 to meet with the Board of Trustees Committee on Educational and Academic Affairs following a meeting of the Board's Executive Committee. Unfortunately, few members other than Executive Committee members were present. The occasion presented an opportunity, however, for faculty to speak with more members of the Board on the feelings of their constituents. The Trustees listened politely as one committee member after another expressed the strong feeling that the tenure quota was working a hardship upon those persons being reviewed for tenure at the present time. Many members of the Board expressed their appreciation for being educated on the matter. Cecil Semple, Vice President of General Electric Corporation, and Robert Van Tuyl, Vice Chairman of the American Stock Exchange, said this was the first time they had really come to know what tenure meant to faculty members. Fred Hammer, Colgate Class of '58, and Vice President of Finance Associates Corporation, and John Colgate of Van Strum and Towne expressed the view that tenure was not available to persons in any employment situation other than education. The meeting ended cordially, but it was the feeling on the part of most faculty members that they were merely repeating themselves to different audiences and not making much headway in getting the guideline changed. To add to their dampened spirits, when they emerged from the University Club, they discovered the largest deluge in the city's history with five inches of rain falling in the last five hours.

While the faculty was petitioning to have the tenure quota changed, the D.A.C. was meeting to recommend promotions and appointments for presumption of tenure. Operating under the 55 percent quota in effect and the assumption that three tenured faculty would retire and no one would resign, the Dean and his five division directors were faced with a choice of how many tenure slots to fill from among the eight candidates who were in their sixth year of probationary service. Each appointment on a base of 153 represented 0.65 percentage points. If no recommendations were made, the percentage on tenure could be reduced from 61.4 to 59.5, still above the guideline; but if all eight were accepted, the percentage would soar to 64.7, the new quota recommended by the faculty.

Initially the decision was to examine each candidate critically with the view of sending the top three names to the President for his recommendation to the Board. Three tenure appointments and three retirements would leave the percentage where it was. During the several weeks of deliberations, reviewing massive files of credentials and hearing exhaustive arguments on relative comparisons of the physicist-humanist kind, the Faculty Committee on Promotions and Tenure exercised its role of watchdog. When the work was completed the D.A.C. forwarded four names to the President on the grounds that the top four were significantly superior to the others and that no clear distinction could be made between candidates ranked three and four, but there was a division after number four. The President approved of this decision and communicated it to the Board for their action in January.

The Faculty Affairs Committee, meeting on December 5th, reaffirmed in a vote of 6 to 0 its support of the faculty's action of April 17, 1971, to request the Board of Trustees to "change the 55 percent guideline into a

guideline of 65 percent of the tenureable faculty as being on tenure at any one time." During the same meeting, Assistant Professor of Political Science Irving Faber reported that some junior faculty members perceive that the weight of criteria for granting tenure has changed from an emphasis on outstanding teaching to one of publication. He requested that the Dean's Advisory Council submit a statement to the faculty on the manner in which it applied criteria in the recent tenure decisions. The Committee concurred in this request.

John Morris, who served on the D.A.C. as Director of the Division of University Studies, pointed out that the discriminating criteria for promotion to associate professor, which is closely connected to the receipt of tenure, is substantial evidence of productive scholarship. And since a person would probably not be retained as an assistant professor unless he were a good teacher, the tenure decision may appear to hinge upon the question of scholarship. He said, however, that scholarship should not be interpreted to mean only publication. Dean Wallin emphasized that no tenure appointment should be made without evidence of good teaching. "Outstanding teaching may compensate for moderate scholarship or colleagueship," he explained, "but nothing can compensate for bad teaching."

During the last week of Fall Term classes, the Colgate AAUP chapter held a formal meeting to stress its concern over the quota and its impact on the 1973 tenure class. Linden Summers, Professor of Education, spoke to the issue:

> We seek a solution to one specific problem. This attempt at resolution is important, not only to redress the injustice inherent in the present procedures, but also in view of an even more ominous development. Given rapidly deteriorating faculty morale and growing strain in our colleagial base for governance, we must reassert faculty responsibility and understanding between the faculty and administration.

> Otherwise these larger problems, bearing on what this institution is and may become, promise to overwhelm us.
>
> The AAUP recognizes and appreciates the efforts of this faculty, our President and the Board of Trustees to keep Colgate both solvent and innovative at a time when educational retrenchment is widespread in this country. We support the present goal of limiting the expansion of the number of students, staff and plant in order to increase the resources for all. We accept, as a corollary the necessity of setting a limit on tenured faculty. Given the faculty decision to utilize a percentage (or ratio) base for that limitation, we are aware that we must perform the unhappy task of denying tenure to promising colleagues.
>
> The issue at hand, though, is not merely one of procedure. Despite what should have been ample time to adapt to these conditions, the university has not phased in the implementation of these limitations with appropriate regard for colleagues who are most grievously affected. To carry out the present procedure not only risks harm to their careers; of equal concern to us, it jeopardizes Colgate's integrity. We believe that certain ground rules--explicit as well as implicit understandings--have been altered during this transition; all of us share the obligation to correct this injustice. As we review the evidence, we are persuaded that several faculty members have been employed with no clear understanding that their tenure might be denied on grounds completely beyond their own individual performance.

He then introduced the following resolution which was passed and transmitted on December 22, in person, to the Dean's Advisory Council and the Committee on Promotion and Tenure at a special meeting called at the request of Charles Naef.

> To rectify this injustice, we insist that a specific and formal four-year <u>transition period</u> be created as we move to a 65% tenure policy. Such a <u>temporary suspension</u> of policy will insure that all faculty members appointed during the years 1967-71, when the current tenure conditions were not clearly and definitively stated upon proferring appointment, will be individually evaluated (or re-evaluated in the instance of the group granted or eligible for tenure in this current year), irrespective of the resultant strain on the now-operative ratio.

When the December issue of the campus AAUP newsletter, <u>Vox Facultatis</u>, was distributed, it contained a proposal for a "Policy for Untenured Colleagues" by Arnold Sio, Professor of Social Relations:

It is now apparent that henceforth a very small number of those appointed to the faculty will become tenured members. This being the case, some changes in university policy regarding our untenured colleagues are in order if the institution is to benefit from their presence and if they are to develop as teacher-scholars who will be attractive to other colleagues.

Everything possible should be done to aid in the strengthening of those aspects of the individual's professional (rather than institutional) role which will enable him to qualify for another appointment in a highly competitive market. There are a number of ways in which the college can fulfill this responsibility. They include the following measures:

1. There should be an increase in the funds available to these individuals to attend meetings and to present papers on other professional occasions.

2. Untenured members of the faculty should be given priority in the allocation of funds by the University Research Council.

3. Among the three kinds of activities in which a member of the faculty normally engages, teaching and scholarship are most important for the untenured person and, therefore, participation in university governance should be voluntary for these individuals.

4. The untenured person and the college will serve each other best if he is allowed to stress the teaching of courses in his area of specialty, thereby contributing his best to the curriculum and also strengthening his chances for an appointment at another institution.

5. The teaching schedules of untenured members of the faculty should be arranged to provide them with the maximum amount of time for research and writing.

6. The teaching of extra-departmental courses, including Colgate-II, should be voluntary for untenured members of the faculty.

7. It will benefit our untenured colleagues and the college if we only appoint individuals with the Ph.D. This would enable them to devote their period of service at Colgate to the development of their skills as teachers and to the preparation of material for publication. Individuals with a dissertation to complete who join the faculty are handicapped in the amount of time and effort they can devote to developing themselves as teachers and in writing for publication.

Although the adoption of some of these measures may involve some conflicts with other expressed interests, the college needs to recognize its special obligations to the untenured faculty. It is important that we adopt a policy that will meet these obligations.

The Sio proposal was recognized by Dean Wallin in a recommendation he distributed to the D.A.C. on January 5:

It seems to me that we should have a set of special opportunities, recognitions and policies relating to this segment of the Faculty who may in the next decade be temporary three or four year employees. In recognition of their temporary status and need to develop their professional competence for future marketability, we should first of all establish some guidelines for their assignments at Colgate; second, some special recognitions to attract the very best young faculty to come into this jeopardy position; and three, some special grants of time and money to enhance their professional development and marketability. In the first category I suggest the following items:

1. During the first year, no membership on University divisional or departmental committees.
2. During the first year they should attend monthly seminars on the teaching-learning process as an introduction to Colgate and a discussion of this important aspect of their professional development.
3. That no more than one-third, that is two courses per year, of their teaching load be assigned to general education programs unless they request an increase in that assignment.
4. That during their first three years at Colgate they participate in at least one general education or team taught educational program to introduce them to this aspect of University education.

In the second area, to create a form of special recognition and to attract the best young faculty to these turn-over jobs, I suggest the following: we should create about one special instructorship for each division and by special instructorship, I have in mind a named position such as the Crawshaw Instructorship in English which could be awarded from time to time to outstanding postdoctoral candidates and that it be awarded for the specific purpose of attracting the very best scholars into a situation where they can learn to become accomplished teachers. The special instructorships should be able to move within a division and should assume the maximum starting salary plus a stipend of as much as $1,500 to either be added to salary or granted for summer.

In the third area of support for temporary faculty, there would be a set of three or four grants to be awarded to persons between their second and third year at Colgate to ensure and encourage scholarly or artistic effort for the benefit of Colgate and the junior faculty member. These grants might be in the neighborhood of $1,500 to $2,000 and a competition open only to persons already holding the Ph.D. and who had been at Colgate more than two but less than five years or some such similar policy. A second kind of support would be a University-wide competition for Assistant Professors holding the Ph.D. to invite distinguished scholars to a colloquium to comment on their proposal for a new teaching or scholarly venture that they wish to undertake. The grant would pay for the colloquium and the publication of the papers presented by three or four visiting scholars on that subject, give the faculty member support during a semester or summer to prepare the conference and the paper that is to be commented on as his research or teaching proposal. This latter competition would certainly attract a good deal of attention to a bright, thoughtful

proposal and would serve to launch people on constructive teaching or scholarly ventures early in their postdoctoral careers. The total cost of such redirection of resources might be $5,000 for the special competition for Assistant Professors another $7,000 for the support of these three-month stipends and $5,000 or $6,000 for the support of named instructorships for a total of around $18,000.

What do you gentlemen think of recommending all or part of these ideas as a program for junior faculty at Colgate University?

In response to Irving Faber's concern for the application for tenure criteria Dean Wallin sent a memorandum to members of the Faculty Affairs Committee the day after Christmas. He wrote:

> The quantity of scholarship is less important than its quality and evidence of its continuing character. Since it is believed that continued professional growth is essential to the teaching-learning process of the college, evidence of self-sustaining scholarship in the impact of that professional achievement on the learning environment of this college is considered more important than quantifiable measures such as number or length of publications.

He went on to say:

> The application of these criteria has not changed as much as the numbers and quality of the groups from which the selection for promotion and/or tenure must be made has changed during the last five years. The quality and range of accomplishments of candidates--particularly for tenure--has become more impressive each year and requires closer scrutiny of the relative achievements in discerning judgment among the candidates. It is quite reasonable to conclude that the candidate who received tenure three or four years ago might not be successful in this year or in those immediately to follow. Let me stress that the criteria have not changed but the strength of the candidates has. The application of percentage of guidelines for promotion and tenure has not influenced the percentage of the application of criteria to the promotion and/or tenure decision. Beyond helping the Dean's Advisory Council to establish an initial approximation of the number of promotions and tenure decisions that would be desirable in a given year, their effect has been to keep the number about the same in each year despite the increase in the quantity and quality of the competition. The operation of these guidelines has always been flexible in the sense that a hypothetical maximum on favorable decisions in a single category is established in advance of consideration of specific candidates. This hypothesis is frequently challenged and tested before the conclusion of consideration of each category both by arguing for substitution for individuals, or the addition or reduction of that number because a clearer point of division can be established at another level.

Prior to the January 19 meeting of the Board of Trustees, President Bartlett was interviewed by the college alumni magazine, The Colgate Scene. In "A Conversation with the President - IV" the reporter asked President Bartlett whether a tenure system, which allows the college to lose very capable persons to be replaced by others no more qualified, should be preserved. He answered that the fundamental issue of the tenure system for the college is the issue of faculty selectivity. He said further:

> In making tenure decisions, we sometimes lose faculty who otherwise we could continue to keep. But, to go the other way, and say that we will not be selective would be a very undesirable policy for our faculty. We need to have selectivity; moreover, we need to have a situation in which new faculty are coming into the College regularly. Were all our faculty on tenure we would be very unresponsive to changes in our society, to changing interests in our students and so on. But, there is another fundamental characteristic of this institution which we must consider. When people come to Colgate and make their careers here, the College requires that the faculty member shape his own talents and his own work to teaching and to the needs of this particular institution. To put it another way, our College requires that faculty members devote their energies to scholarship which relates to their teaching, and we emphasize very much the requirement of scholarship as a continuing process for our faculty members. This works against the faculty member trying to emphasize research and publication which would give him a standing in his field and allow him greater mobility in moving to other institutions.
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> The longer a faculty member stays at a teaching college like Colgate, the more specialized he becomes in the way he shapes his professional life; therefore, in a sense the more vulnerable he becomes if he has to move. We cannot ask him to become vulnerable in that way without a reciprocal assurance that if he does so, he will be given economic and professional security. Thus tenure represents a trade-off, or ought to. Once a faculty member has demonstrated that he has achieved a balance in his career between alive and vigorous scholarship which will reinforce his teaching, and also has demonstrated his commitment to the teaching and the life of the College, then we give him tenure so that he can continue in that direction to fit the peculiar needs of our College. If we didn't have a tenure system we would have a faculty who would all have to be constantly developing their professional careers in the ways that would make them most mobile, most attractive to another institution if they wished to move or if they had to move; in practice that would nearly always mean an emphasis on publication.

At the Board meeting, in which promotions and tenure appointments were recommended and the 1973-74 budget was approved, the President strongly recommended that the tenure guideline be changed from 55 to 65 percent with a review at the end of five years. Rain started falling in New York City about half way through the meeting and by the time the tenure issue arose it was really pouring. Howard Jones, President of Northfield and Mount Hermon Schools, indicated that the President's request was the strongest position he had taken with the Board. Many of the businessmen in the group reflected the feeling that tenure was a unique prerogative of the educational enterprise. One Board member indicated that if it came down to a vote on the President's recommendation he would be forced to cast his first negative in a Board decision.

Harvey Picker, Dean of the School of International Affairs at Columbia University, attempted to strike a compromise. He suggested that a 65 percent limit be set for a three-year period with an automatic return to the 55 percent limit. Two or three Board members felt a return would be extremely difficult, if not impossible, since once something had been given it could not be taken away. After a lengthy and sometimes intense discussion, the Board approved, with one dissenting vote, to replace the existing 55 percent tenure guideline for tenurable faculty with a 65 percent tenure ceiling for a period of three years. At the end of that period, as soon as practicable and as vacancies in tenurable positions occur, the College is to revert to the 55 percent guideline.

What this meant exactly, in terms of granting tenure over the next three years, was quickly computed. With a base of 154 persons each future tenure appointment, without an equivalent retirement, will increase the total on

tenure by 0.65 percentage points. Thus with the new three-year ceiling of 65 percent on tenure six (6 x 0.65 percent + 61 percent = 64.9 percent) more tenure appointments than retirements may be made in the next three years. But since only five retirments are anticipated in the next three years, rather than the overall average of three per year, no more than a total of eleven persons may be appointed to tenure. This still means that Colgate will have to be extremely selective in choosing the eleven persons from among the 27 coming up for tenure decisions. At that rate, it cannot even afford to recommend one-half of each tenure class or it would exceed the 65 percent quota by 1976. Therefore, unless the base is enlarged, Colgate expects to make no more than three tenure recommendations in 1973-74, five in 1974-75, and three in 1975-76. This would equal the eleven appointments, five to fill anticipated retirements and six additional, bringing Colgate to 100 persons on tenure or 64.9 percent of the 154 base. If it assumes three retirements per year, and then only makes two tenure appointments each year for the next 17 years, it can reduce the tenured faculty by 0.65 percentage points per year and reach the Board of Trustees' guideline of 55 percent in 1991.

The story does not end here. No doubt there will be more modifications as the policy is implemented, like the one agreed to by the D.A.C. more than a month after the January Board meeting. Near the end of February one of the faculty members who had been denied tenure and notified of his terminal appointment petitioned the Dean's Advisory Council for reconsideration on the grounds that there was new evidence to support his scholarly productivity: he had been informed by a book publisher that his manuscript had been accepted for publication. The D.A.C. considered this request in the presence of the Committee on Promotion and Tenure and came to the conclusion that faculty members

may seek reconsideration of tenure in their terminal year at Colgate by requesting the Dean's Advisory Council to review their case prior to October 1. This request can only be based upon the claim that there is extraordinary and significant change in substantial evidence attesting to the faculty member's teaching, scholarship, or collegial activities. The D.A.C., in the presence of the Committee on Promotion and Tenure, will then decide whether or not substantial new evidence is sufficient to justify a reconsideration and inform the faculty member of its decision before proceeding. If reconsideration is permitted, the candidate will be considered for tenure along with other persons in that year. It was decided this procedure will be followed for 1973-75, the same period as the 65 percent guideline, to increase the flexibility in implementing the tenure quota.

Tensions of the Times

To complicate the implementation of the tenure quota, other innovations and organizational stresses occurred at Colgate throughout this period. For one thing, covering the whole body politic of the college were scars from the 1968, 100-hour sit-in in the Admininstration Building over the discriminatory practices of some fraternities. Faculty feelings were not completely healed from the divisiveness of the sit-in, and many voting alliances were built upon the wounds of 1968. The rationality of decisions during this period could not help but be tempered by continuing coalitions forged in the heat of this past battle.

Coeducation, a new governance system, year-round operation, and freshman seminars were added from 1970 to 1973. Coeducation was introduced in 1970 on a limited scale, and there were cries for abandoning it, on the one hand, and

for expanding it to a 50-50 male-female ratio on the other. Another far-reaching change, occurring shortly after the inauguration of a new president, was the establishment of a complex student-faculty-administration system of shared governance. With numerous commissions, committees, a student senate, a faculty meeting, and a University Council, it was described by Richard Frost as "a voracious consumer of faculty time." In the fall of 1972 a year-round calendar went into effect with all entering students required to take a Summer Term sometime in their careers. The 1-3-1-4-3 calendar divided the former fall semester into a controversial new three-month block, shortening the regular time courses had been taught and introducing the September Term when entering freshmen are given a seminar and returning students enroll in a one-month course.

Added to these factors were the moves toward the establishment of a proficiency-based degree, or Colgate-II as it came to be called, and the revision of the general education program. A task force, organized to propose a method of implementing the faculty's decision to offer an alternative path to a degree, rather than have students continue to accumlate courses, reported in September, 1972. Formal consideration of a pilot program to examine students in three fields of study occupied the largest portions of Council and faculty meetings for two-thirds of the year. When Colgate-II was referred to a further planning committee, a report from the Academic Affairs Commission to revise the college's long-standing general education program became the object of Council attention. Counterproposals ran the gamut from a limited number of compulsory core courses to a distribution requirement to the notion of an open university without any requirements.

The tenure issue reared its head in this debate when it was asked how can Colgate continue to mount a respectable general education program if increased competitiveness for tenure causes faculty to retreat into their disciplines to publish. Dean Wallin answered that contributions to general education are weighed in the tenure decision since the administrator responsible for them, the Director of the Division of University Studies, participates in the deliberations. Also, he said, departments may justify additions to their staff on the grounds of their commitment to supplying personnel for general education courses. It was recognized, however, that the attitude of many faculty is that you are more visible, and therefore your chances of attaining tenure are better, if you follow the modern academic pattern of working in your specialized field.

Besides these highly important academic issues, the faculty was faced with a major personnel change when President Bartlett announced in December that Dean Wallin was being given a two-years' leave of absence to serve as President of the Institute of World Order. This news not only prompted the organization of a committee to search for a new dean within the college, but spawned a second group to define the duties of the Dean's Office. Both the search and the job description developed overtones of a symbolic struggle between some of the faculty and the administration over the former's perceived feeling of general "disenfranchisement."

In the Wake

Decisions like the Colgate case have churned up interest across the country. Numerous individual institutions have reexamined their tenure policies and procedures; statewide systems and groups of private colleges have

renewed the demand for justifying tenure; mathematical models presenting the consequences of such things as longer probationary periods, three-year contracts, and "moving tenure" have been constructed; and surveys have been taken on how tenure is related to other personnel practices and job performance.[11]

The American Association of University Professors and the Association of American Colleges, the original endorsers of the "1940 Statement of Principles on Academic Freedom and Tenure," recently addressed themselves to the symbolic target of attacks on academe. Their support of the Commission of Academic Tenure in Higher Education produced a major study which concluded in March, 1973, that "academic tenure, rightly understood and properly administered, provides the most reliable means of assuring faculty quality and educational excellence, as well as the best guarantee of academic freedom."[12]

At the same time that it defended the preservation of the tenure system, the report recognized the need for tenure quotas. Recommendation No. 20 stated:

> ... that each institution develop policies relating to the proportion of tenured and nontenured faculty that will be compatible with the composition of its present staff, its resources and projected enrollment, and its future objectives. In the commission's nearly unanimous judgment, it will probably be

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[11] Statement of the Utah State University Committee on Academic Freedom, Tenure, and Public Responsibility (Logan: mimeo, 1971); Utah State Board of Regents, Academic Freedom, Professional Responsibility, and Tenure in the Utah System of Higher Education (Salt Lake City: Office of the Commissioner of Higher Education, 1974); The Twelve College Faculty Appointment and Development Study (New York: Institute for Educational Development, 1973); P. Joseph LaSalle, "Appointments, Promotion and Tenure under Steady-State Staffing," Notices of the American Mathematical Association, 19:69-73 (January, 1972); and T. Robert Blackburn, Tenure: Aspects of Job Security on the Changing Campus (Atlanta: Southern Regional Education Board, 1972).

[12] Published as Faculty Tenure (San Francisco: Jossey-Bass, 1973), p. 21.

> dangerous for most institutions if tenured faculty constitute more than one half to two thirds of the total full-time faculty during the decade ahead. The institution's policy in this matter, which should be flexible enough to allow for necessary variation among subordinate units, should be used as a guide in recruitment, reappointment, and the award of tenure. Special attention should be given to the need to allow for significant expansion of the proportion of women and members of minority groups in all faculties, especially in the tenured ranks.[13]

Furthermore, in previewing the Commission's report to the press in January, 1973, Chairman William R. Keast had spoken to the issue of decreasing staffing flexibility in no-growth institutions, especially today when "the relative youth of most faculties means that retirements will occur at a slower rate." He continued:

> ... recent liberal policies in awarding tenure will mean that tenure staffs will be so large as to pose grave budgetary problems and to make the prospects for promotion or recruitment of younger faculty increasingly meagre.[14]

Despite the American Association of University Professors joint sponsorship of the Keast Commission's inquiry, the Association rejected the recommendation on tenure quotas. AAUP's Committee A on Academic Freedom and Tenure presented a six and a half page statement, denouncing tenure quotas, to the Association Council on October 20, 1973. The Council concurred with Committee A that "foreclosing promotion to a tenured position because of a numerical quota is unacceptable,"[15] because it extracts the real meaning from the probationary period. It claimed that "the desired distribution of tenured and non-tenured faculty should be viewed as a long-term goal rather than a short-term solution,"[16] and that methods other than a quota system should be used to attain the goal. They enumerated a series of other decisions and

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[13] Ibid., pp. 50-51.

[14] The Chronicle of Higher Education, January 22, 1973, p. 5.

[15] "On the Imposition of Tenure Quotas," AAUP Bulletin, Winter 1973, p. 430.

[16] Ibid., p. 429.

developments they preferred to see used to affect the ratio of tenured faculty including such things as:

(1) the rate of growth of the institution;
(2) the fraction of those appointed initially to tenured positions;
(3) the use of visiting faculty;
(4) the use of graduate assistants;
(5) the average length of the probationary period;
(6) the fraction of nontenured faculty who achieve tenure; and
(7) the age distribution of the faculty.[17]

For many institutions, including Colgate University, most of these other "decisions and developments" could not be considered viable alternatives to the tenure quota, since they were beyond the institution's power to change. Either they were already locked into the system, like the existing age distribution of the faculty, or they depended upon exogenous factors like the nation's economy or the number of births 19 years ago that affected the institution's growth.

What the tenure quota does in practice is not make the probationary period meaningless but raises the standards of performance during the probation which will be rewarded with tenure. Thus, instead of awarding tenure to all those who meet certain standards, it means that only the very best of those who "pass" their probationary test will be retained.

Colgate learned the wisdom of the Keast Commission ("...institutions will need to proceed gradually in order to avoid injustice to probationary faculty whose expectation of permanent appointments may have been based on earlier, more liberal practices"[18]) and even AAUP's Committee A ("... it may well be

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[17] Ibid.

[18] Commission on Academic Tenure in Higher Education, loc cit.

sensible to choose consciously to exceed the desired distribution temporarily while the steps necessary to return to that distribution take effect"[19]), when it decided to relax its 55 percent guideline temporarily.

The goal of maintaining the highest quality faculty can be thwarted, at any institution, by the very means used to implement the goal, if faculty morale is lowered by what may be considered unjust personnel practices.

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[19]"On the Imposition of Tenure Quotas," p. 430.

APPENDIX

Persons eligible for tenure are nominated by their departments sending supporting documents (vitae, student evaluations, peer evaluations, and statements of recommendation) to the Dean's Advisory Council. The D.A.C. -- composed of the Dean of the Faculty and the Directors of the Divisions of Natural Sciences, Social Sciences, Humanities, and Physical Education and Intercollegiate Athletics -- discusses the merits of the nominees in the presence of the University President and a three-man Committee on Promotions and Tenure elected by the faculty. Discharging its duty as the "conscience" of the D.A.C., the Promotions and Tenure Committee strictly observes the following practices:

1) The Committee attends all meetings of the Dean's Advisory Committee when that Committee is involved in making decisions on promotion and tenure. Its purpose is to protect the interests and welfare of the faculty as a whole and to assure themselves that fair treatment is accorded members of the faculty eligible for promotion and/or tenure.

2) The Committee participates in these meetings as observers, entering into the discussion only where matters of policy or procedure are at issue. The Committee does not have responsibility for making the actual decisions concerning promotion and tenure, and therefore the members do not discuss the candidates nor take part in the voting. In this way the Committee can best protect the interests which the faculty as a whole has in this matter; and it can also avoid undercutting the academic administration of the University.

3) The Committee receives complaints from any member of the faculty who may feel that his claims to promotion and/or tenure have not been accorded fair treatment, and where warranted will investigate the situation on his behalf. The Committee may question policy and procedure but not administrative judgment. If the Committee finds that the aggrieved member has a case, it will so advise the Dean. In the event of disagreement between the Dean the the Committee, the Committee will report to the faculty.

4) Under no circumstances does the Committee reveal to <u>anyone</u> information relative to promotions and tenure which it is the province of the administration to communicate.

5) Complaints from members of the faculty must be addressed to the Committee through its Chairman. The members of the Committee individually will not feel free to discuss any aspects of such complaints with members of the faculty.

After its deliberations the D.A.C.'s recommendations are forwarded to the President. Ordinarily his report to the Board of Trustees will duplicate that received from the D.A.C. This whole process, from initial hearings to Board decision, may take three or four months.